

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KORDY RICE,

Plaintiff,

v.

E. CATELLANOS, et al.,

Defendants.

Case No. 1:24-cv-01008-KES-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

Doc. 16

Plaintiff Kordy Rice proceeds pro se and in forma pauperis in this civil rights action filed under 42 U.S.C. § 1983. Doc. 1, 6. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 11, 2025, the assigned magistrate judge screened plaintiff's complaint and found that it could proceed on plaintiff's claims for (1) excessive use of force in violation of the Eighth Amendment against Defendants Castellanos and E. Ramirez; (2) failure to protect in violation of the Eighth Amendment against Defendant Robb; and (3) violation of his Fourteenth Amendment right to due process against Defendants Brown, Arreola, and Robb. Doc. 13. On April 4, 2025, per the screening order, plaintiff filed a notice stating his intention to proceed only on the claims that the screening order found cognizable. Doc. 14. On June 2,

2025, the assigned magistrate judge issued findings and recommendations recommending that this case proceed only as to the cognizable claims as identified in the screening order. Doc. 16. The findings and recommendations contained notice that any objections thereto were to be filed within thirty days (30) after service. *Id.* at 2. No objections were filed and the time to do so has passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1), the Court has conducted a de novo review of this case. Having carefully reviewed the file, the Court find that the findings and recommendations are supported by the record and proper analysis.

Accordingly:

1. The findings and recommendations issued on June 2, 2025, Doc. 16, are ADOPTED IN FULL.
2. Plaintiff's complaint proceeds on plaintiff's claims for (1) excessive use of force in violation of the Eighth Amendment against defendants Castellanos and E. Ramirez; (2) failure to protect in violation of the Eighth Amendment against defendant Robb; and (3) violation of plaintiff's Fourteenth Amendment right to due process against defendants Brown, Arreola, and Robb. Any other claims and defendants are dismissed for failure to state a claim.
3. This matter is referred back to the assigned magistrate judge for further proceedings.

IT IS SO ORDERED.

Dated: September 15, 2025


UNITED STATES DISTRICT JUDGE